

REMARKS

Prior to this response, Claims 1-20 were pending in the application. No claims have been added, cancelled, or amended. Therefore, claims 1-20 remain presented for examination.

35 U.S.C. § 103(a) Rejections

Claims 1-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2002/0004798("Babula") in view of U.S. Patent No. 6,529,743 ("Thompson") and for claims 6, 8, 11-18 in further view of U.S. Patent No. 6, 580,727 ("Yim"). Applicants respectfully traverse.

Claim 1 recites "an internet interface for receiving a modem status request from the telecommunications service provider." As previously stated by Applicants, Babula fails to teach or suggest this recitation of claim 1. In response to Applicants previous remarks, the office action refers to several sections in Babula in which a modem is used to transmit communications back and forth between medical devices and a diagnostic system. As one particular example, Babula states "a modem 128 is provided for receiving and transmitting data between the diagnostic system and the remote service facility." Babula, p. 5, ¶ 45. The cited portions also disclose that a server may facilitate data exchanges between the diagnostic system and the service facility via a web browser. Id., p. 5, ¶ 46. However, after careful review of the references, and in particular the cited portions, Applicants cannot find any mention in Babula of receiving a modem status request from a telecommunications service provider, or an internet interface to receive such a request. Babula fails to even mention requests for modem status. Additionally, Applicants cannot find any references to a telecommunications provider anywhere in Babula.

Applicants respectfully submit that Babula also fails to teach or suggest additional recitations of claim 1. For instance, claim 1 further recites a server "converting said corresponding subscriber information to a central office request and sending said central office request to said central office." The office action points to the following portions of Babula to teach these recitations: 1) [0046], lines 5-13; 2) [0045]; 3) [0047]; 4) [0048]; 5) [0056], lines 15-41; and 6) claims 1-5. Applicants will address each of these sections in turn. In the first cited

portion (paragraph 46), Babula discusses network connectivity between a server and the diagnostic system. This may include a server and a browser which support HTTP and java applications. Paragraph 45 discusses the connectivity between the diagnostic system and the remote service facility. In paragraph 47, there is a discussion of the components comprising network connectivity. Additionally, this paragraph discusses that a service engineer can configure modem parameters, a schedule for running automatic diagnostic checks, and establish electronic messaging. The service engineer also checks the connection status between the sites. In the fourth cited portion (paragraph 48), functional components of the service facility are illustrated. These may include a modem rack, an http service server, a firewall, operator workstations, and automated service unit. In paragraph 56, exemplary pages for providing service requests for the medical diagnostic equipment are illustrated. The claims are generally concerned with service requests for medical diagnostic equipment (e.g., claim 1 recites "a server for automatically handing a service request from a medical diagnostic station."). As can be appreciated, there is no mention in any of these cited portions of subscriber information, conversion of subscriber information, or transmittal of the information to a central office. Nor can Applicants find teachings or suggestions of these recitations in any other part of Babula.

Thompson and Yim also fail to teach or suggest the recitations of claim 1 discussed above. Additionally, Applicants respectfully object to the combination of references as there is no motivation to combine. Babula is concerned with remotely monitoring the status of medical devices. Thompson discloses systems and devices that convert analog modem signals to signals that can be transmitted on a wireless communications network. The office action states that it would have been obvious to combine Babula with Thompson because they both deal with monitoring the status of remote modems. However, as discussed Babula discloses monitoring medical devices, not modems. Additionally, Thompson discloses signal conversion, not modem monitoring. Applicants can find no suggestion in either reference to motivate the combination. Further, Applicants respectfully submit that there is no motivation to combine Yim, which discloses a DSLAM, with either Babula or Thompson.

As there is no motivation to combine the cited references and the references fail to teach or suggest all of the recitations of claim 1, Applicants respectfully submit that claim 1 is allowable. Claims 11, 12, and 17 contain recitations similar to those of claim 1 discussed above

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and are believed to be allowable for at least the same reasons. The remaining claims depend from one of claims 1, 11, 12, or 17. Accordingly, Applicants submit that these claims are also allowable for at least the same reasons, as well as for the additional recitations that they include.

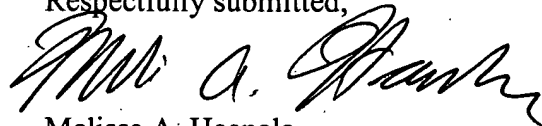
INVITATION FOR A TELEPHONE INTERVIEW

If there remains any issues of allowance with this application, the Applicants earnestly request the Examiner telephone the undersigned at 303-571-4000.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,



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